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February 7, 2020

VIA ECF

Hon. Debra Freeman
Daniel Patrick Moynihan Courthouse
Courtroom 17A
500 Pearl Street
New York, New York 10007

**Re: Eastern Profit Corp. Ltd. v. Strategic Vision US, LLC, Case No. 18-cv-2185 (JGK)-DCF
Request for Clarification to 1/17/20 Text Order**

Dear Judge Freeman:

Defendant/Counterclaimant Strategic Vision US, LLC, submits this letter requesting the Court issue a clarification to its January 17, 2020 text order granting in part and denying in part Strategic Vision's motion to enforce various subpoenas. This limited clarification would address an unanticipated question that arose when Google recently made its production. The Court's Order, at Dkt. No. 247, specified, among other things, that:

(2) the subpoenas to Google (both for Gmail and YouTube account information)...are modified to permit the discovery of ONLY the following information: the identity of the registrant of the specified accounts and information associated with that registrant, including contact information provided by the registrant (such as email and physical addresses) and the IP address from which the account was registered

Following the Court's order, counsel for Strategic Vision notified GoDaddy and Google, which produced responsive records.¹ With respect to the October 31, 2019 subpoena to YouTube, which sought information identifying those who registered the two YouTube accounts titled "RLRPG RLRPG," Google's production of registrant-identifying information was limited to listing two Gmail addresses for those two accounts. *See* Ex. A. Google did not produce the information it has identifying the actual person who used those Gmail addresses to register the YouTube accounts. This leaves Strategic Vision without discovery of "the identity of the registrant of the specified accounts and information associated with that registrant," pursuant to the Court's order.

In follow-up discussions with Google, Strategic Vision learned that Google possesses registration information for those two Gmail addresses used to register the two RLRPG accounts. Google will produce the registration information for the Gmail addresses used to create the two RLRPG YouTube accounts, but requires an amended Order from this Court clarifying that it may produce registration information for the two email addresses used to register the RLRPG YouTube accounts. Google will provide 14 days' notice to the registrants of those RLRPG Gmail accounts before producing any responsive registration information.

¹ Google's ongoing production is expected to be completed within 14 days, upon the expiration of a user notice period.



Strategic Vision notified counsel for Eastern Profit and counsel for nonparties Guo, Golden Spring, Ms. Wang and Ms. Maistrello of this request for a clarified text order, and they have not objected. Strategic Vision received no objections from any user associated with the RLRPG accounts. Indeed, during the months after these YouTube accounts were subpoenaed (with notice) and then subject to motion practice, no attorney has ever appeared for users of the RLRPG accounts, and no attorney appearing before this Court has ever claimed to be associated with the RLRPG accounts.

For these reasons, Strategic Vision seeks an amendment to the January 17, 2020 text order specifying that the discovery of the accounts' registration information includes the two Gmail addresses used to register the two RLRPG YouTube accounts. We respectfully suggest this could be accomplished with a text order from this Court stating as follows: *"With respect to the Court's Jan. 17, 2020 Order related to discovery from Google-YouTube, the information associated with that registrant includes Google's registration information for the Gmail addresses used to create the two RLRPG YouTube accounts."*

We are happy to coordinate scheduling for an additional telephone conference should Your Honor so desire, but given the lack of objection or dispute, we respectfully suggest that another conference is not necessary.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Edward D. Greim', is written over a horizontal line.

Edward D. Greim
Attorney for Defendant/Counterclaimant

cc: Counsel of record via ECF